

The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mr. Dick Bruce  
Snowy Owl Inn  
PO BOX 407  
Waterville Valley, New Hampshire 03215

LETTER OF DEFICIENCY  
WMB PBF 05-01  
January 4, 2005

Dear Mr. Bruce:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On December 28, 2004, DES inspected the following public bathing facilities at the Snowy Owl Inn in Waterville Valley, NH: the indoor pool ("Indoor Pool") and spas ("Spa"), Spa-1 and Spa-2.

During this inspection, the following deficiencies were noted:

1. A recommendation to close Spa-1 and Spa-2 was issued on December 28, 2004. The inspection on December 28, 2004 revealed that the Spas were in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Spa water:
  - a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The water from Spa-1 contained 12 CTS/100mL of total coliform bacteria with *E. coli* bacteria present.
  - b. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The water in Spa-1 and in Spa 2 each contained greater than 200 CTS/100mL.
2. Env-Ws 1103.15(c) requires a bromine concentration between 2.0 mg/L and 4.0 mg/L in public pool water. The bromine concentration of the Pool water ranged from 9.8 mg/L to 13.7 on December 28, 2004.
3. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water in Spa-1 and Spa-2 was approximately 0 mg/L on December 28, 2004.
4. Env-Ws 1105.03(d)(2) requires spa filtration systems to include a flow meter. The filtration system for Spa-1 did not include a working flow meter at the time of inspection.
5. Swimming pool hydraulic design and filter systems shall comply with Env-Ws 1105.01(k). The circulation and filtration system for the Pool does not comply with Env-Ws 1105.01(k) (19-d) which requires one pool water turnover every 8 hours. The pool flow rate at the time of inspection was approximately 20 GPM. To meet the required 8 hour turnover a flow rate of 55 GPM needs to be achieved.


DES believes the cited deficiencies can be corrected within 30 calendar days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when:
  - a. the installation/repair of the flow meter will be completed; and
  - b. details of possible corrective actions with that will result in an acceptable turnover rate.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

  
Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7453

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES  
Tim Wilson, Public Bathing Facility Coordinator, DES  
Alfred Burbank, Health Officer, Town of Waterville Valley

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